

**RENEWED PETITION FOR REVIVAL OF AN APPLICATION FOR
PATENT ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Docket Number (Optional)
UVI 3.9-007 CONT

First named inventor: Diego Dayan

Application No: 10/662,168

Art Unit: 2176

Filed: September 10, 2003

Examiner: Not Yet Assigned

Title: COMPUTERIZED ADVERTISING METHOD AND SYSTEM

MS Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

NOTE: If information or assistance is needed in completing this form, please contact Petitions
Information at (703) 305-9282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or
action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration
date of the period set for reply in the Office notice or action plus any extensions of time actually obtained.

APPLICANT HEREBY RENEWS THE PETITION FOR REVIVAL OF
THIS APPLICATION FILED NOVEMBER 1, 2004

- (1) Petition fee; /
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee – required for all utility and plant applications
filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee (previously paid)

☐ Small entity – fee \$ _____ (37 CFR 1.17(m)). Applicant claims small entity status.
See 37 CFR 1.27.

☐ Other than small entity – fee \$ _____ (37 CFR 1.17(m))

2. Reply and/or fee

A. The reply and/or fee to the above-noted Office action in
the form of a Petition Pursuant to 37 C.F.R. §1.47(a). (identify type of reply):

☒ has been filed previously on November 1, 2004 and

☒ is enclosed herewith.

B. The issue fee of and publication fee (if required) \$ _____

☐ has been paid previously on _____

☐ is enclosed herewith.

3. Terminal disclaimer with disclaimer fee

☒

Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.

☐

A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity
or \$ _____ for other than a small entity) disclaiming the required period of time
is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE. The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D))].



Signature

March 30, 2005

Date

Joseph B. Lerch

Typed or printed name

26,936

Registration Number, if applicable

LERNER, DAVID, LITTENBERG, KRUMHOLZ & MENTLIK,
LLP
600 South Avenue West
Westfield, New Jersey 07090

Address

(908) 518-6382

Telephone Number

Enclosures:

☐

Fee Payment

☐

Reply

☐

Terminal Disclaimer Form

☐

Additional sheets containing statements establishing unintentional delay

☒

Renewed Petition pursuant to 37 C.F.R. § 1.47(a) and Second Declaration
of Silvina Pirraglia

Page 2 of 2

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: MS Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: March 30, 2005

Signature: 

(Joseph B. Lerch)

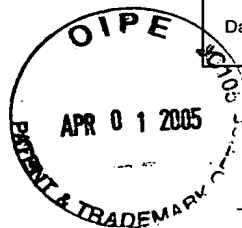
I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: March 30, 2005

Signature: 

(Joseph B. Lerch)

Docket No.: UVI 3.9-007 CONT
(PATENT)



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Dayan et al.

Application No.: 10/662,168

Filed: September 10, 2003

For: COMPUTERIZED ADVERTISING METHOD
AND SYSTEM

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: Examiner: Not Yet Assigned
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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RENEWED PETITION PURSUANT TO 37 C.F.R. § 1.47(a)

Dear Sir:

This is a renewed petition pursuant to 37 CFR § 1.47(a) to have this patent application made on behalf of Abel A. Gordon, Jorge A. Estavez, Federico M. Alvarez, Ivan S. Entel and Samuel S. Tenenbaum to have this application made by themselves and Diego Dayan (non-signing inventor). A declaration executed by all the inventor's except Mr. Dayan was filed on July 6, 2004. A petition requesting this relief was filed on November 1, 2004, accompanied by the Declaration of Silvina Pirraglia. That petition was denied on January 5, 2005. The present petition renews the prior petition and is accompanied by a Petition for Extension of Time permitting this renewed petition to be filed by April 5, 2005.

The only ground for the denial of the earlier petition was that:

Petitioners have not provided sufficient proof that a copy of the application (specification, including claims, drawings, if any, and the declaration) was sent to the non-signing inventor. The statements made by Silvina Pirraglia reveal if that the declaration was sent to Mr. Dayan, but don't indicate that the complete application was ever sent to Mr. Dayan

The present petition is accompanied by the Second Declaration of Silvina Pirraglia. In the new declaration, Ms. Pirraglia identifies a cover letter which accompanied papers sent to Mr. Dayan on May 5, 2004 and states that enclosed is "the copy of the patent application No. 10/662,168" (Pirraglia Decl., ¶4).

Ms. Pirraglia states that "the patent application" was a "complete copy of a document that had been identified as the patent application in a November 3, 2003 letter from . . . our U.S. patent attorneys" (Pirraglia Decl., ¶5).

My inspection of the U.S. patent application file for this matter reveals that a copy of application No. 10/662,168 had been sent to the client with a letter dated November 3, 2003 from Darby & Darby, P. C., the patent attorneys then of record.

Ms. Pirraglia was Administration Manager, not a patent professional. It would not be reasonable to expect her to determine what is and what is not a patent application. It was reasonable for her to assume that what had been identified by the company's attorneys as a patent application was in fact a patent application.


It is therefore submitted that it has now been established that Ms. Pirraglia provided a complete copy of the patent application to Mr. Dayan, (including the description, the claims and drawings) along with the declaration.

This petition should be granted.

If there are any additional charges in connection with this requested petition, the examiner is authorized to charge Deposit Account No. 12-1095 therefor.

Dated: March 30, 2005

Respectfully submitted,

By 
Joseph B. Lerch
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Attorney for Applicant



Docket No.: UVI 3.9-007 CONT
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SECOND DECLARATION OF SILVINA PIRRAGLIA

I, Silvina Pirraglia, declare as follows:

1. I am the same Silvina Pirraglia who executed a declaration with respect to this patent application on October 14, 2004.

2. Except as explained below, I confirm all statements made in my earlier declaration.

3. Attached as Exhibit A is a true copy of a letter I sent to Mr. Diego Dayan on May 5, 2004. This letter was copied from one obtained from the file of United Sites of America, S.A. which is maintained with respect to US patent application 10/662, 168 in the regular course of business.

4. Translated into English, the letter of Exhibit A would read as follows:

Please find enclosed at the declaration for your signature, together with the copy of the patent application No. 10/662,168. This needs to be delivered ASAP.

Looking forward to hearing from
you!
Silvina

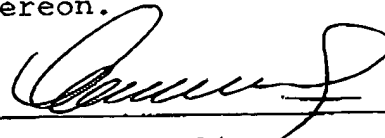
5. "The patent application" was a complete copy of a document that had been identified patent application No. 10/662,168 in a November 3, 2003 letter from Darby & at Darby, our U.S. patent attorneys.

6. Now that I have seen this letter, I realize that I was mistaken in my earlier declaration when I stated that the declaration was mailed to Mr. Dayan on May 11, 2004. I had actually mailed it on May 5, 2004.

All statements made herein of my own knowledge are true and all statements made on information and belief are believed to be true; and further these statements were made with the knowledge that willful and false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or a patent issuing thereon.

Dated:

3/14/05



Silvina Pirraglia

550305_1.DOC

5 de Mayo de 2004

Querido Diego,

Te adjunto la declaración para que firmes junto con la copia de la solicitud de patente n° 10/662,168.

Esto necesita ser entregado cuanto antes. Quedo a la espera de novedades!!
Saludos,

Silvina